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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/778,565	02/07/2001	Murthi Nanja	INTL-0521-US (P10765)	4410
21906	7590	03/09/2005	EXAMINER	
TROP PRUNER & HU, PC 8554 KATY FREEWAY SUITE 100 HOUSTON, TX 77024			WOO, ISAAC M	
			ART UNIT	PAPER NUMBER
			2162	

DATE MAILED: 03/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/778,565

Applicant(s)

NANJA, MURTHI

Examiner

Isaac M Woo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8, 12-19 and 23-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8, 12-19 and 23-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### ***Reopening of Prosecution – New Ground of Rejection After Appeal***

1. Prosecution is being responded in accordance with MPEP 1208.02 as follows:
2. In view of the appeal brief filed on August 02, 2004, PROSECUTION IS HEREBY REOPENED. New ground of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

- (1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,
- (2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

3. In response to applicant's REPLY BRIEF filed on September 13, 2004, Applicant remarks, "In response to the new arguments raised by the Examiner in the Answer, the following Reply Brief is submitted. Claim 1 calls for a controller to control the play of video, to receive a request to pause the play of said video, and to automatically request a code to enable video play to be resumed at a later time. Thus, as one exemplary

embodiment, when the user enters a pause command, the controller automatically requests a code to enable video play to be resumed at a later time". Applicant argues regarding totally different invention. There are no limitations that applicant argues about above, anywhere in this claimed invention. And there was no Examiner's Answer issued by examiner before for this case. Thus, the arguments, on REPLY BRIEF filed on September 13, 2004, are totally irrelevant to consider.

4. Claims are 1-8, 12-19 and 23-25 are pending (claims 9-11 and 20-22 are canceled).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-8, 12-19 and 23-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Khan et al (U.S. Patent No. 6,438,575, hereinafter, "Khan") in view of Ohashi (U.S. Patent No. 6,172,699).

With respect to claims 1, 8, 12, 19 and 23, Khan discloses the method, medium storing instructions processor-based system, and system, aggregating information (web

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content) from two or more web site (col. 10, lines 44-50) on a client (302, fig.3, col. 11, lines 36-53), see (FIG. 2, FIG. 3, col. 9, lines 55-67 to col. 10, lines 1-26, col.11, lines 36-64, col. 1, lines 43-67 to col. 2, lines 1-34); detecting the occurrence of a predetermined time, see (col. 11, lines 13-22, col. 2, lines 39-48); and automatically transferring information to a wireless device at the predetermined time, see (col. 11, lines 13-22, col. 2, lines 39-48, fig. 2, fig.3) from the two or more web sites (col. 10, lines 44-50). Khan does not explicitly disclose, single connection session. However, Ohashi discloses, "plurality of pages of image data is sent in one communication connection session (such a function may be called multi-receiving)", see (col.7, lines 55-66). This teaches that single connection session provides multiple data transmission. Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention was made to modify Khan by incorporating single connection session as discussed by Ohashi. Thus, one having ordinary skill in the art at the time the invention was made would have been motivated to use such a combination because that would provide Khan's system the enhanced auto-data and multiple data transmitting with single communication connection session (without re-connection session) in network communication environment, especially internet communication. Thus, a user can receive information in regular base without the retrying connection session.

With respect to claims 2, 13 and 24, Khan discloses the aggregating the information from two or more web sites on a processor-based system connectable to

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the wireless device, see (col. 9, lines 55-67 to col. 10, lines 1-26, col. 1, lines 17-67 to col. 2, lines 1-62, FIG. 3, col. 11, lines 37-67 to col. 12, lines 1-51).

With respect to claims 3 and 14, Khan discloses the receiving user requests for information from web sites and storing the information received from web sites, see (FIG.3, col. 11, lines 37-67 to col. 12, lines 1-51).

With respect to claims 4 and 15, Khan discloses the establishing a telephone connection and during that connection, accessing the requested information from at least one web site, see (col. 2, lines 11-34, col. 9, lines 55-67 to col. 10, lines 1-26).

With respect to claims 5 and 16, Khan discloses the accessing information from at least two web sites using a single connection, see (FIG. 4, col. 17, lines 17-67 to col. 18, lines 1-59).

With respect to claims 6 and 17, Khan discloses the aggregating the information in response to the detection of an event, see (col. 7, lines 8-37, col. 9, lines 55-67 to col. 10, lines 1-26).

With respect to claims 7 and 18, Khan discloses the detecting a period of low activity on a processor-based system, see (fig.1, col. 3, lines 44-65, col. 13, lines 13-62, the computer operating system checks cpu usages or memory usages).

With respect to claim 25, Khan discloses the Internet connection, see (135, fig.1, col. 8, lines 32-54).

**Conclusion**

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Isaac M Woo whose telephone number is (571) 272-4043. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

IMW  
March 3, 2005

  
JEAN M. CORRIELLUS  
TECHNICAL EXAMINER